

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

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**Terri Pechner-James and
Sonia Fernandez**

C.A. #0312499MLW 05-11-05 P 2:18

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DISTRICT OF MASS

City of Revere et al

**Plaintiffs Opposition to Defendant's Motion For Relief From Time Limits for
Depositions Set Forth in Fed. R. Civ. P. 30(d)(2)**

Now comes the Plaintiffs, Terri Pechner-James and Sonia Fernandez, and moves this Honorable Court to deny the Defendants motion. The Plaintiffs state the following as grounds for their opposition:

1. On June 28, 2005, the Plaintiffs filed the following documents with the Clerk, U.S. District Court, in the above-captioned matter:

1. Plaintiffs Request for *Rooker-Feldman* ruling;
2. Memorandum in support of Plaintiffs Request for *Rooker-Feldman* ruling;
3. Certificate of Service; and
4. Certificate of Plaintiffs Compliance pursuant to Local Rule 7.1(a)(2).

2. The disability of the Plaintiff, Terri Pechner-James, was caused by the hostile work environment created by the Defendants. The injury and its causation have been determined in a state forum.

3. Both the causation and the injury are inextricably intertwined with the Plaintiffs causes of action.

4. The disability of the Plaintiff, Sonia Fernandez, was caused, in part, by the hostile work environment created by the Defendants. The injury and its causation have likewise been determined in a state forum.

5. Both Sonia Fernandez injury and its causation are inextricably intertwined with her causes of action.

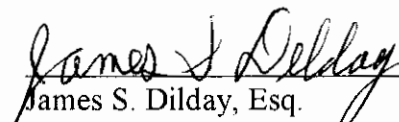
6. The *Rooker-Feldman* doctrine is jurisdictional. According to the doctrine, the federal district court lacks subject matter jurisdiction to relitigate issues already decided by a state forum.

7. The Defendants motion for relief from the time limit for depositions set forth in Fed. R. Civ. P. 30(d)(2) and order is unnecessary because the issues over which the court has subject matter jurisdiction can be addressed within the time limit provided by the rules.

8. The *Rooker-Feldman* doctrine limits and probably eliminates the need for this motion. The true extent of the remaining discovery cannot be determined until this court has ruled upon the Plaintiffs *Rooker-Feldman* request.

WHEREFORE, the Plaintiffs respectfully request that this Court deny the Defendants motion and find that the *Rooker-Feldman* doctrine renders unnecessary the expanded depositions requested by the Defendants.

Respectfully submitted,
Terri Pechner-James and
Sonia Fernandez
By their attorney


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